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FILED

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RICHARD J. ...
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

HUGO NORATO CASTRO,

Defendant.

No. CR 06-70285 RS

STIPULATION, WAIVER AND
[PROPOSED] ORDER CONTINUING
HEARING AND EXCLUDING TIME FOR
INDICTMENT

The parties hereby stipulate and agree that the date currently set for preliminary hearing and/or arraignment may be continued for one week from April 12, 2007, to April 19, 2007 at 9:30am. Mr. Castro, by his signature below, further consents to extend by one week the time for preliminary hearing under Rule 5.1 of the Federal Rules of Criminal Procedure. The purpose of the requested continuance is to permit the defense to continue its investigation into the circumstances of the alleged offense and to facilitate the parties' efforts to reach a pre-indictment resolution. The parties further agree that the intervening one week may be excluded from the time within which an indictment shall be filed, as the reasonable time necessary for effective defense preparation un 18 U.S.C. §3161(h)(8)(A) and (B)(iv).

SCOTT N. SCHOOLS
United States Attorney

DATED: 4-9-07

/s/
THOMAS M. O'CONNELL
Assistant United States Attorney

DATED: 4-9-07

/s/
LARA VINARD
Assistant Federal Public Defender

RS
[PROPOSED] ORDER

Good cause appearing and by stipulation of the parties, it is hereby ordered that the date for preliminary hearing and/or arraignment in the above-captioned matter shall be continued from April 12, 2007 to April 19, 2007 at 9:30am. *before Magistrate Judge Trumbull* *RS*

It is further ordered that seven additional days be excluded from the time within which and indictment shall be filed under the Speedy Trial Act, as the reasonable time necessary for effective preparation of counsel, pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

SO ORDERED.

DATED: *4/9/07*

[Signature]
RICHARD SEEBORG
United States Magistrate Judge